

October 18, 2012

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 11-42 - Lifeline and Link Up Reform and Modernization
WC Docket No. 03-109 - Lifeline and Link Up
CC Docket No. 96-45 - Federal-State Joint Board on Universal Service
WC Docket No. 12-23 - Advancing Broadband Availability Through
Digital Literacy Training

TracFone Wireless, Inc. Petition for Declaratory Ruling or, In the
Alternative, for Waiver of Section 54.410(f) of the Commission's Rules

NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

By this letter, TracFone Wireless, Inc. ("TracFone") provides information to supplement its above-captioned petition filed with the Commission on May 18, 2012. In its petition, TracFone sought relief from the requirement that Eligible Telecommunications Carriers ("ETCs") re-certify the continuing Lifeline eligibility of all their Lifeline customers enrolled as of June 1, 2012 by December 31, 2012. TracFone requested relief for two specific categories of Lifeline customers: 1) those customers who were enrolled in Lifeline prior to 2012 and who had already re-certified their continuing eligibility during 2012 (but prior to June 1, 2012); and 2) those customers who were enrolled in Lifeline during 2012, but prior to June 1, 2012 who would not be subject to re-certification until 2013, but for the one time June 1, 2012 re-certification requirement.

It its petition, TracFone described how all of its Lifeline customers were enrolled in full conformance with all applicable requirements as of the dates of enrollment; that they were enrolled in compliance with most of the requirements promulgated in the February 2012 Lifeline Reform Order.¹ It further explained how it would be unnecessary and annoying to consumers for ETCs to contact existing customers who already re-certified their continuing eligibility during 2012, and that many such persons would likely not respond to a second request so soon after the earlier request. Moreover, TracFone explained that it has utilized a one-per-household policy since commencement of its Lifeline service in 2008, long before the Commission codified one-per-household as a requirement in the Lifeline Reform Order.

¹ Lifeline and Link Up Reform and Modernization, et al, FCC 12-12, released February 6, 2012.

The purpose for this letter is to advise the Commission that many of TracFone's SafeLink Wireless® Lifeline customers were required to provide documentation of their program-based eligibility at the time of their initial enrollment, despite the fact that the Commission's rules requiring that ETCs view such documentation did not become effective until June 1, 2012. Specifically, TracFone Lifeline customers in the following states have been required by state regulations to produce documentation of their program-based eligibility: Missouri, South Carolina, Kentucky, Rhode Island, Puerto Rico, Indiana, and Texas. In addition, TracFone verifies its Lifeline applicants' program-based eligibility at the time of enrollment by accessing state data bases in Wisconsin, Maryland, Florida and Washington.

While TracFone continues to believe that the public interest would be served by approving its waiver request for all states for the reasons set forth in its petition as supplemented by its letter of June 26, the Commission should be aware of the circumstances regarding the eleven states noted in the preceding paragraph.

Pursuant to Section 1.1206(b) of the Commission's Rules, this letter is being filed electronically. Please direct any questions to undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

cc: Ms. Kimberly Scardino
Ms. Divya Shenoy
Mr. Jonathan Lechter